

The Westfield Washington Township Board of Zoning Appeals met at 7:00 p.m. on Tuesday, January 14, 2014, at Westfield City Hall. Members present included Randy Graham, Martin Raines, and Ron Rothrock. Also present were Kevin Todd, Senior Planner; Andrew Murray, Associate Planner; Sarah Reed, Associate Planner; Ryan Clark Associate Planner; and Brian Zaiger, City Attorney.

Election of Officers

The Board decided to have the election at the next BZA Meeting when more Board members were present.

APPROVAL OF MINUTES

Raines moved to approve the October 15, 2013, minutes.

Rothrock seconded, and the motion passed by voice vote.

APPROVAL OF 2014 Schedule of Meetings and Filing Dates

Rothrock moved to approve the 2014 Board Calendar.

Raines Seconded, and the motion passed by voice vote.

Murray reviewed the Public Hearing Rules and Procedures.

NEW BUSINESS

1312-VS-11

(Public Hearing)

16132 Hymera Green

Richard Smith

The petitioner is requesting a Variance of Standard from the Westfield-Washington Township Zoning Ordinance for a reduction in the minimum rear yard setback line in the Single-Family 3 cluster (SF-3) District (WC 16.04.030.E.6)

Clark presented an overview of the Variance of Standard for a reduction in the minimum rear yard setback line to accommodate an in-ground swimming pool. The petitioner, Richard Smith, is available for any questions.

Public Hearing opened at 7:08 p.m.

There were no public comments.

Public Hearing closed at 7:09 p.m.

Staff recommends approval of 1312-VS-11.

Raines motioned to approve 1312-VS-11.

Rothrock seconded, and the motion passed 3-0.

Raines moved to adopt the Staff's findings of facts.

Rothrock seconded, and the motion passed 3-0.

1312-VS-12
(Public Hearing)

622 Stockbridge Drive

Jennifer Adkins

The petitioner is requesting a Variance of Standard from the Westfield-Washington Township Zoning Ordinance for a reduction in the minimum rear yard setback line in the Single-Family 3 cluster (SF-3) District (WC 16.04.030.E.6).

Clark presented an overview of the Variance of Standard for a reduction in the minimum rear yard setback line to accommodate an in-ground swimming pool. The petitioner, Jennifer Adkins, is available for any questions.

Rothrock asked if there were any problems with drainage. Adkins answered that they have already made changes and have approval from the homeowners' association regarding any drainage issues.

Public Hearing opened at 7:12 p.m.

There were no public comments.

Public Hearing closed at 7:13 p.m.

Staff recommends approval of 1312-VS-12.

Raines motioned to approve 1312-VS-12.

Rothrock seconded, and the motion passed 3-0.

Raines moved to adopt the Staff's findings of facts.

Rothrock seconded, and the motion passed 3-0.

1401-VS-01
(Public Hearing)

14701 Alsong Court

Jon and Kris Reel

The petitioner is requesting a Variance of Standard from the Westfield-Washington Township Zoning Ordinance for a reduction in the minimum rear yard setback line in the Single-Family 2 (SF-2) District (WC 16.04.030.D.6).

Murray presented an overview of the Variance of Standard for a reduction in the minimum rear yard setback line to accommodate an attached garage to an existing single family dwelling.

The petitioners, Jon and Kris Reel, are being represented by Jeff Grummer, who is available for any questions.

Rothrock asked if this type of dwelling is permissible in this neighborhood.

Murray answered yes.

Public Hearing opened at 7:15 p.m.

There were no public comments.

Public Hearing closed at 7:16 p.m.

Staff recommends approval of 1401-VS-01.

Rothrock motioned to approve 1401-VS-01.

Raines seconded, and the motion passed 3-0.

Graham moved to adopt the Staff's findings of facts.

Raines seconded, and the motion passed 3-0.

1401-VS-02
(Public Hearing)

236 North Street

James Investment Group, LLC by Sam Milligan, North Ridge Construction

The petitioner is requesting a Variance of Standard from the Westfield-Washington Township Zoning Ordinance for a pre-existing non-conforming lot (WC 16.04.010.Y.1) and for a reduction in the minimum front yard setback line in the Single-Family 3 (SF-3) District (WC 16.04.030.E.6).

Todd presented an overview of the Variance of Standard for reducing the setback and to bring a nonconforming downtown lot into compliance with the Zoning Ordinance. He stated that the petitioner plans on removing the current structure and build a new home on the site. The proposed plans for the home include a front and side porch, which would encroach the setback on the east side. The lot pre-dates zoning in Westfield and does not conform to the current lot

size requirements of the SF-3 District. Todd noted the petitioner has met with the Grand Junction Task Group regarding this project and received support from that group.

The petitioner, Sam Mulligan with North Ridge Construction and James Investment Group, presented an overview of the project.

Public Hearing opened at 7:24 p.m.

David Marshall, Adago Dance Academy located at Cherry Street and State Highway 32, expressed his support of the project and what the petitioner is trying to accomplish in area by raising property values, improving the area's image, and helping downtown businesses.

Ken Kingshill, Director of the Downtown Westfield Association and the Chairman of the Grand Junction Task Group, stated that the Grand Junction Task Group supports this petition.

Public Hearing closed at 7:27 p.m.

Staff recommends approval of 1401-VS-02 with the condition the petitioner records an Acknowledgement of Variance with the Hamilton County Recorder's Office and returns a copy of the recorded instrument to the Economic and Community Development Department prior to the issuance of a building permit for the Property.

Raines motioned to approve 1401-VS-02 with Staff's Recommendation.

Rothrock seconded, and the motion passed 3-0 with Staff's Recommendation.

Graham moved to adopt the Staff's findings of facts.

Raines seconded, and the motion passed 3-0.

1401-SE-01

(Public Hearing)

124 East Main Street

Rocks Auto Exchange by Brian Ewen

The petitioner is requesting approval to modify conditions of a granted Special Exception that permitted auto sales, new or used, in the Local Business – Historical District (LB-H) District (WC 16.04.050.E.2).

Reed presented an overview of the proposal. She noted the petitioner has met with the Grand Junction Task Group regarding this project and received support from that group.

The petitioner, Brian Ewen, presented a background and overview of the project.

Public Hearing opened at 7:33 p.m.

Ken Kingshill, Director of the Downtown Westfield Association and the Chairman of the Grand Junction Task Group, stated that the Grand Junction Task Group supports this petition.

Public Hearing closed at 7:34 p.m.

Staff recommends a motion to repeal 0111-SE-04 (the “Original Approval”) and approve 1401-SE-01 with the following modified conditions (such modified conditions apply to the subject property in addition to the conditions established in the Original Approval):

1. No more than twelve (12) automobiles shall be displayed on the Property at any one time;
2. At least two (2) off-street parking spaces shall be provided on the Property, in addition to the display of automobiles;
3. At least two (2) potted ornamental trees shall be located on the Property;
4. At least two (2) potted evergreen shrubs shall be located between the front façade of the existing structure and the State Highway 32 right-of-way line;
5. One (1) vehicular ingress/egress shall be permitted along the south property line not to exceed twenty-five feet (25’) in width. The remaining road frontage along State Highway 32 shall be curbed to match the existing curb in that area. Curbing shall be installed as soon as possible, weather permitting and no later than April 01, 2014.
6. Two (2) planter boxes OR ground cover that includes seasonal plantings shall be located adjacent to the State Highway 32 right-of-way, and shall meet the City’s standards for lines of sight. Plantings shall be installed as soon as possible, weather permitting, and no later than April 01, 2014; and
7. That the Petitioner records an Acknowledgement of Special Exception with the Hamilton County Recorder’s Office and returns a copy of the recorded instrument to the Economic and Community Development Department.

Graham motioned to repeal 0111-SE-04 and approve 1401-SE-01 with Staff’s recommended conditions.

Rothrock seconded, and the motion passed 3-0 with Staff’s recommended conditions.

Graham moved to adopt the Staff’s findings of facts.

Raines seconded, and the motion passed 3-0.

1401-VS-03

(Continued)

Northeast Corner of Wheeler Road and Tournament Trail

Dairy Queen by Jamie Shinneman of Weihe Engineers, Inc.

The petitioner is requesting Variances of Standard from the Westfield-Washington Township Zoning Ordinance for the reduction in the minimum front and side yard setback line in the General Business District (WC 16.04.050.F.6).

REPORTS/COMMENTS

APC LIASON:

No report.

EDC STAFF:

No report.

The meeting adjourned at 7:40 p.m.

Chairperson
Randy Graham

Secretary
Matthew Skelton, Director